

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

July 31, 2000

IN RE:

ALL TELEPHONE COMPANIES TARIFF  
FILINGS REGARDING RECLASSIFICATION  
OF PAY TELEPHONE SERVICE AS REQUIRED  
BY FEDERAL COMMUNICATIONS COMMISSION  
(FCC) DOCKET 96-128

DOCKET NO.  
97-00409

SMALL TELPHONE COMPANIES TARIFF  
FILINGS REGARDING RECLASSIFICATION  
OF PAY TELEPHONE SERVICE AS REQUIRED BY  
FEDERAL COMMUNICATIONS COMMISSION  
(FCC) DOCKET 96-128

DOCKET NO.  
97-01181

---

**ORDER OF PRE-HEARING OFFICER CONTINUING SEPARATION OF THE  
DOCKET NO. 97-01181, GRANTING THE TENNESSEE SMALL LOCAL EXCHANGE  
COMPANIES COALITION'S PETITITON TO INTERVENE IN DOCKET NO. 97-00409**

---

This matter came before the Pre-Hearing Officer upon the filing of comments by the Tennessee Payphone Owners Association ("TPOA"), Citizens Telecommunications of the Volunteer State ("Citizens-VS"), and the Tennessee Small Local Exchange Companies Coalition ("Coalition")<sup>1</sup> and the filing of a Petition to Intervene by the Coalition.

---

<sup>1</sup> The Coalition consists of the following companies:

- 1) Ardmore Telephone Company, Inc.
- 2) Century Telephone Inc. Companies consisting of Century Telephone of Adamsville, Century Telephone of Claiborne, Inc., and Century Telephone of Ooltewah-Collegedale, Inc.
- 3) Loretto Telephone Company, Inc.
- 4) TDS TELECOM Companies ("TDS") in Tennessee consisting of Concord Telephone Exchange, Inc., Humphreys County Telephone Company, Tellico Telephone Company, and Tennessee Telephone Company
- 5) Telephone and Electronics Corp. Companies in Tennessee consisting of Crockett Telephone Company, Inc., Peoples Telephone Company, Inc., and West Tennessee Telephone Company, Inc.
- 6) United Telephone Company, Inc.

In an order filed on July 21, 2000 in Docket No. 97-00409, the Pre-Hearing Officer requested that all parties in Docket No. 97-01181 file comments on three options for proceeding with Docket Nos. 97-00409 and 97-01181. The three options were:

A. Combine the proceedings and permit local exchange companies not under price regulation to file proposed rates in Docket No. 97-00409 pursuant to the above procedural schedule;

B. Maintain separate proceedings and permit the local exchange companies not under price regulation to file proposed rates in Docket No. 97-01181; or

C. Maintain separate proceedings and allow local exchange companies not under price regulation to intervene in Docket No. 97-00409 for the limited purpose of commenting on the proposed rates filed by the current parties to Docket No. 97-00409.

The TPOA suggested that the Pre-Hearing Officer: 1) combine all local exchange company ("LEC") payphone filings into one docket; 2) require all incumbent LECs to file payphone access line rates with detailed cost support by September 15, 2000;<sup>2</sup> 3) continue with the procedural schedule set forth in the Pre-Hearing Officer's July 21, 2000 order and apply such schedule to BellSouth Telecommunications, Inc. ("BellSouth"), United Telephone Southeast, Inc. ("UTSE"); Citizens Telecommunications Company of Tennessee ("Citizens"), and TDS; and 4) allow any LEC to intervene and participate. Citizens-VS supported the first option of combining Docket Nos. 97-00409 and 97-01181 because of efficiency and administrative economy. The Coalition argued against combining the two dockets. The Coalition asserted that the cost of filing cost studies would be unduly burdensome. Further, the Coalition argued that nothing has changed since the Pre-Hearing Officer first separated the dockets in an order filed on June 6, 1997.

---

<sup>2</sup> This deadline is in accordance with the procedural schedule set forth in the Pre-Hearing Officer's July 21, 2000 order in Docket No. 97-00409.

After thoroughly reviewing the parties' filings, the Pre-Hearing Officer concludes that option C is the best alternative for proceeding with Docket Nos. 97-00409 and 97-01181. Although the parties have put forth competent arguments in favor of combining the dockets, no party has provided the Pre-Hearing Officer with any compelling reason to overturn the June 6, 1997 order separating the dockets. Moreover, it is the opinion of the Pre-Hearing Officer that the parties to Docket No. 97-01181 should be spared the expense of preparing and producing cost studies for the sole purpose of establishing pay telephone rates.

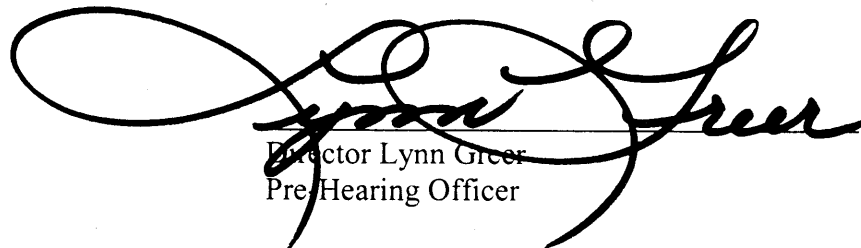
After choosing option C, the Pre-Hearing Officer further concludes that the Petition to Intervene filed by the Coalition should be granted for the limited purpose of commenting on the proposed rates filed by the current parties to Docket No 97-00409. Moreover, because of the limited grant of intervention, those LECs that are parties to Docket No 97-01181 and that are granted limited intervention in Docket No. 97-00409 shall not be responsible for responding to discovery requests. Parties to Docket No. 97-00409 will have an opportunity for discovery at a later date in Docket No. 97-01181. Comments to the proposed rates shall be filed no later than 2:00 p.m. on Friday, October 6, 2000.

**IT IS THEREFORE ORDERED THAT:**

1. Docket Nos. 97-00409 and 97-01181 shall remain separate.
2. The Tennessee Small Local Exchange Companies Coalition's Petition to Intervene is granted for the limited purpose of commenting on the proposed rates filed by the current parties to Docket No. 97-00409. Comments on the proposed rates shall be filed no later than 2:00 p.m. on Friday October 6, 2000.
3. Parties to Docket No. 97-01811 that are granted permission to intervene on a limited basis shall not be required to respond to discovery requests.

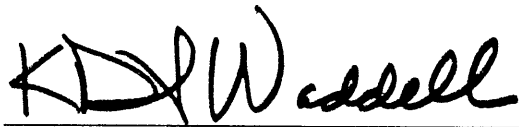
4. This Order will be considered at the Authority Conference scheduled for August 15, 2000 at 9:00 a.m.

5. Any party desiring to file comments or objections they should do so within ten (10) days from the date of this Order, or not later than 2:00 p.m. on Thursday, August 10, 2000.



Director Lynn Greer  
Pre-Hearing Officer

ATTEST:



K. David Waddell, Executive Secretary